

Secretary of Labor (Secretary) to develop, promulgate, and revise as may be appropriate, improved mandatory health or safety standards for the protection of life and prevention of injuries in coal or other mines. The Mine Act and 30 CFR parts 75 and 77, mandatory safety standards for coal mines, make this collection of information necessary. Inadequate maintenance of electric equipment is a major cause of serious electrical accidents in the coal mining industry. It is imperative that mine operators adopt and follow an effective maintenance program to ensure that electric equipment is maintained in a safe operating condition to prevent electrocutions, mine fires, and mine explosions. MSHA regulations require the mine operator to establish an electrical maintenance program by specifying minimum requirements for the examination, testing, and maintenance of electric equipment. The regulations also contain recordkeeping requirements that help operators in implementing an effective maintenance program. (a) Examinations of Electric Equipment (1) Section 75.512 requires that all electric equipment be frequently examined, tested, and maintained by a qualified person to assure safe operating conditions and that a record of such examinations be kept. Section 75.512–2 specifies that required examinations and tests be made at least weekly. (2) Section 75.703–3(d)(11) requires that all grounding diodes be tested, examined, and maintained as electric equipment and records of these activities be kept in accordance with the provisions of § 75.512. (3) Section 77.502 requires that electric equipment be frequently examined, tested, and maintained by a qualified person to ensure safe operating conditions and that a record of such examinations be kept. Section 77.502–2 requires these examinations and tests at least monthly. (b) Examinations of High-Voltage Circuit Breakers (1) Section 75.800 requires that circuit breakers protecting high-voltage circuits, which enter the underground area of a coal mine, be properly tested and maintained as prescribed by the Secretary. Section 75.800–3 requires that such circuit breakers be tested and examined at least once each month. Section 75.800–4 requires that a record of the examinations and tests be made. (2) Section 75.820 requires persons to lock-out and tag disconnecting devices when working on circuits and equipment associated with high-voltage longwalls. (3) Section 75.821(a) requires testing and examination of each unit of high-voltage longwall equipment and circuits

to determine that electrical protection, equipment grounding, permissibility, cable insulation, and control devices are being properly maintained to prevent fire, electrical shock, ignition, or operational hazards. These tests and examinations, including the activation of the ground-fault test circuit, are required once every seven days. Section 75.821(b) requires that each ground-wire monitor and associated circuits be examined and tested at least once every 30 days. Section 75.821(d) requires that, at the completion of examinations and tests, the person making the examinations and tests must certify that they have been conducted. In addition, a record must be made of any unsafe condition found and any corrective action taken. These certifications and records must be kept at least 1 year. (4) Section 77.800 requires that circuit breakers protecting high-voltage portable or mobile equipment be properly tested and maintained. Section 77.800–1 requires that such circuit breakers be tested and examined at least once each month. Section 77.800–2 requires a record of each test, examination, repair, or adjustment of all circuit breakers protecting high-voltage circuits. (c) Examinations of Low- and Medium Voltage Circuits (1) Section 75.900 requires that circuit breakers protecting low- and medium voltage power circuits serving three-phase alternating-current equipment be properly tested and maintained. Section 75.900–3 requires that such circuit breakers be tested and examined at least once each month. Section 75.900–4 requires that a record of the required examinations and tests be made. (2) Section 77.900 requires that circuit breakers protecting low- and medium voltage circuits which supply power to portable or mobile three-phase alternating-current equipment be properly tested and maintained. Section 77.900–1 requires that such circuit breakers be tested and examined at least once each month. Section 77.900–2 requires that a record of the examinations and tests be made. (d) Tests and Calibrations of Automatic Circuit Interrupting Devices Section 75.1001–1(b) requires that automatic circuit interrupting devices that protect trolley wires and trolley feeder wires be tested and calibrated at intervals not to exceed 6 months. Section 75.1001–1(c) requires that a record of the tests and calibrations be kept. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on July 23, 2020 (85 FR 44546).

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid OMB Control Number. See 5 CFR 1320.5(a) and 1320.6.

DOL seeks PRA authorization for this information collection for three (3) years. OMB authorization for an ICR cannot be for more than three (3) years without renewal. The DOL notes that information collection requirements submitted to the OMB for existing ICRs receive a month-to-month extension while they undergo review.

Agency: DOL–MSHA.

Title of Collection: Examinations and Testing of Electrical Equipment, Including Examination, Testing, and Maintenance of High Voltage Longwalls.

OMB Control Number: 1219–0116.

Affected Public: Businesses or other for-profits institutions.

Total Estimated Number of Respondents: 674.

Total Estimated Number of Responses: 291,074.

Total Estimated Annual Time Burden: 55,339 hours.

Total Estimated Annual Other Costs Burden: \$0.

(Authority: 44 U.S.C. 3507(a)(1)(D))

Dated: November 2, 2020.

Anthony May,

Management and Program Analyst.

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DEPARTMENT OF LABOR

Secretary's Order 10–2020—Statement of Policy Regarding Independence of Advisory Committee Members

ACTION: Notice.

SUPPLEMENTARY INFORMATION:

1. *Purpose.* To strengthen the quality and reliability of advice provided by advisory committees to the Department of Labor, by identifying factors to be used in selecting committee members that will increase transparency in the disbursement of taxpayer dollars, enhance public confidence in advisory committees, and promote efficiency in the selection of candidates to serve on advisory committees.

2. *Authorities and Directives Affected.*

A. Authorities. This Order is issued pursuant to the following authorities:

1. 29 U.S.C. 551 *et seq.*;
2. 5 U.S.C. 301–02; and
3. 5 U.S.C. app. 2 §§ 1–15.

B. Directives Affected. This Order does not affect the authorities and responsibilities assigned by any other Secretary's Order.

3. Definitions.

“Committee” means any advisory committee, committee, board, task force, or working group to which the Secretary of Labor or the designee of the Secretary appoints individuals subject to the Federal Advisory Committee Act (FACA), and the subcommittees of such bodies. This term does not include internal committees, boards, task forces, or working groups, or apply to purely interagency committees, boards, task forces, or working groups.

“Organization” means any organized concern, whether legally recognized or otherwise.

4. Background.

The Department's Committees provide advice and recommendations that agency heads and other decision-makers may use in fulfilling the Department's mission of promoting the welfare of the American workforce. The Department sponsors several Committees, which focus separately on the use of labor market data, employee benefit plans, job training programs, international labor standards, trade agreement policy, and worker safety and health.

Under FACA, Committees can be established by Congress, the President, or the Department. FACA requires that all Committees operate in an independent, orderly, balanced, and transparent manner. Membership selection is a critical step in fulfilling these goals. All members must be qualified and knowledgeable in their respective fields, and must be positioned to offer counsel and advice independent of any motive other than the best interests of the Department and those it serves. Unless otherwise provided by statute, Presidential directive, or other authority establishing a Committee, the Secretary or his designee has the authority and responsibility to appoint Committee members. This authority includes the prerogative to establish eligibility and selection criteria to ensure the Department receives the best advice possible from a broad spectrum of experts and stakeholders. This statement of policy sets forth factors to consider in selecting members to help ensure these FACA requirements are met.

This Policy Statement is intended to provide notice to the public and direction to the Department on how the Secretary or his designees will consider the financial interests of potential Committee members. Policies and requirements are already in place which prohibit Committee members from participating in certain matters in which they have a financial interest. *See* 18 U.S.C. 208; 5 CFR part 2640; DLMS 1604(A), 1605(C), 1614(E). This Policy Statement is not intended to change or add to those provisions, create any mandatory rules restricting otherwise-eligible individuals from serving on Committees, or to affect the fair balance of Committee members required by FACA.¹

Instead, this Statement serves the separate purpose of aiming to ensure that the Department receives high-quality advice and that the public has confidence in the expertise of Committee members. The Department's portfolio of contracts and grants has grown over time, as have the number of laws and regulations on which Committee members may be asked to provide advice, increasing the circumstances where Committee members may be called to provide advice on Department programs as to which their professional judgment may be influenced, or appear to be influenced, by their financial interests. This influence or appearance of influence may not rise to the level of an ethical or legal concern covered by existing laws and policies, but may nonetheless diminish the integrity of advice given the Department in ways that are inconsistent with the Department's interest in obtaining the most reliable and impartial advice possible. This Statement helps guard against such concerns. Further, this Statement promotes public confidence in the Department by helping to ensure that advice given to the Department is free of bias, and instead solely reflects Committee members' experience and expertise.²

¹ The Department's current FACA Committees comprise representatives of employees, employers, experts in fields such as economics and occupational health and safety, and the general public. The Department does not believe its contracts and grants go disproportionately to any one of these groups, or that any large percentage of any of these groups is in receipt of Department contracts or grants. Special provisions have been made in § 6(B) of this Statement for employees of state, local and tribal entities, as those entities do regularly and predictably receive Department funding.

² On the public's confidence in public institutions, see, for example, Pew Research Center, “Americans' View of Government: Low Trust, but Some Positive Performance Ratings” (September 14, 2020), <https://www.pewresearch.org/politics/2020/09/14/americans-views-of-government-low-trust-but-some-positive-performance-ratings/>; Gallup, “Confidence in U.S. Institutions Still Below Historical Norms” (June 15, 2015), news.gallup.com/poll/183593/confidence-institutions-below-historical-norms.aspx.

5. Responsibilities.

A. The Deputy Secretary is delegated authority and assigned responsibility for issuing written guidance, as necessary, to implement this Policy Statement.

B. The Solicitor of Labor is responsible for providing legal advice to the Department on all matters arising in the implementation and administration of this Policy Statement.

6. *Factors for Consideration.* In making Committee appointments, the Secretary or his designee will consider whether prospective Committee members are sufficiently financially independent from the Department programs and activities for which they may be called upon to provide advice.

A. In circumstances where a prospective member (or any spouse, parent, or child of a prospective member) is:

- (i) A principal investigator or co-investigator on a research project funded by a Department grant;
- (ii) an officer or employee of an Organization in receipt of a Department grant; or
- (iii) an officer or employee of an Organization in receipt of disbursements under a contract with the Department,

the Secretary or his designee will consider whether the grant or contract in question is so directly related to the Department programs, activities, or other matters about which the prospective member may be called upon to provide advice that it would cause an objective, disinterested observer to entertain a significant doubt about the prospective member's ability to provide independent, high-quality advice to the Department with respect to such programs, activities, or other matters.

B. Except under the circumstances described in § 6(A)(i), a prospective member's position (or any spouse's, parent's, or child's position) as an officer or employee of an institution of higher education or a state, tribal, or local government agency shall not be considered when determining whether the prospective member is sufficiently independent from the relevant Department programs and activities.

C. The purpose of this Policy Statement is to improve the quality of advice given to the Department and should be followed to the extent it accomplishes that objective. For instance, some Committee members are called upon to provide advice with

³ [09/14/americans-views-of-government-low-trust-but-some-positive-performance-ratings/](https://www.pewresearch.org/politics/2020/09/14/americans-views-of-government-low-trust-but-some-positive-performance-ratings/); Gallup, “Confidence in U.S. Institutions Still Below Historical Norms” (June 15, 2015), news.gallup.com/poll/183593/confidence-institutions-below-historical-norms.aspx.

respect to national security or veterans affairs, or are part of a Committee that involves other federal agencies or international bodies, where heavy reliance on the factors above may impede rather than further the Department's ability to obtain quality advice. The Secretary or his designee may give less weight to the factors above when doing so is in the best interests of the Department.

7. *Certification.* Candidates for Committee membership subject to this Policy Statement shall provide, in writing, sufficient information for the Secretary or his designee to consider the factors articulated in § 6(A) of this Statement, in such form as the Secretary or his designee may prescribe.

8. *Application and Exceptions.*

A. This Policy Statement shall apply only to the appointments or reappointments of individuals to Committees made after the Effective Date of this Statement.

B. This Policy Statement shall not apply to ex officio members.

C. This Policy Statement shall not apply to members and prospective members of the Advisory Board on Toxic Substances and Worker Health.³

D. This Policy Statement shall not apply to appointments made by someone other than the Secretary or his designee.

E. In cases where a Committee member's independence comes into question for a reason articulated under § 6 of this Order after his appointment, the Committee member may serve the remainder of his term on such Committee. The member should, however, consider recusing himself from providing advice to the Department on any programs or activities as to which he would not be considered financially independent under this Statement.

9. *Privacy.* This Policy Statement is subject to the applicable laws, regulations, and procedures concerning the privacy of Committee candidates.

10. *Controlling Law; Administrative Matters.* This Policy Statement is intended to be general in nature, and accordingly shall be construed and implemented consistent with more specific requirements of any statute, Executive Order, or other law governing the composition of a particular Committee. If a conflict arises, the specific statute, Executive Order, or other law shall govern. The appointment considerations articulated in this Statement are in addition to

internal administrative procedures regarding the appointment of individuals to Committees.

11. *Redelegation of Authority.* Except as otherwise provided within this Policy Statement or by law, all authorities delegated in this Order may be redelegated to serve the purposes of this Statement.

12. *Effective Date.* This Order is effective immediately.

Signed in Washington, DC, this 2nd day of November, 2020.

Eugene Scalia,
Secretary of Labor.

[FR Doc. 2020-24726 Filed 11-5-20; 8:45 am]

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DEPARTMENT OF LABOR

Office of the Secretary

Agency Information Collection Activities; Comment Request; Department of Labor Events Management Platform

AGENCY: United States Department of Labor (DOL-OS).

ACTION: Notice of information collections and request for comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, the DOL is soliciting public comments regarding this OS-sponsored information collection to the Office of Management and Budget (OMB) for review and approval.

DATES: Comments pertaining to this information collection are due on or before January 5, 2021.

ADDRESSES:

Electronic submission: You may submit comments and attachments electronically at <http://www.regulations.gov>. Follow the online instructions for submitting comments.

Mail submission: 200 Constitution Ave. NW, Room S-5315, Washington, DC 2020.

Comments are invited on: (1) Whether the collection of information is necessary for the proper performance of the functions of the DOL, including whether the information will have practical utility; (2) if the information will be processed and used in a timely manner; (3) the accuracy of the DOL's estimates of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (4) ways to enhance the quality, utility and clarity of the information collection; and (5) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated

collection techniques or other forms of information technology.

FOR FURTHER INFORMATION CONTACT: Anthony May by telephone at 202-693-4129 (this is not a toll-free number) or by email at DOL_PRA_PUBLIC@dol.gov.

SUPPLEMENTARY INFORMATION: The DOL Events Management Platform is a shared service that allows a DOL agency to collect registration information in a way that can be tailored to a particular event. As the information needed to register for specific events may vary, this ICR provides a generic format to obtain any required PRA authorization from the OMB. DOL notes that registration requirements for many events do not require PRA clearance, because the information requested is minimal (*e.g.* information necessary to identify the attendee, address). This information collection, however, is subject to the Paperwork Reduction Act (PRA). A Federal agency generally cannot conduct or sponsor a collection of information and the public is generally not required to respond to an information collection unless the OMB approves it for use and the agency displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid OMB Control Number.

The DOL seeks PRA authorization for this information collection for three (3) years. OMB authorization for an Information Collection Review cannot be for more than three (3) years without renewal. The DOL notes that currently approved information collection requirements submitted to the OMB receive a month-to-month extension while they undergo review.

Agency: DOL-OS.

Title of Collection: Department of Labor Events Management Platform.

OMB Control Number: 1290-0002.

Total Estimated Number of Respondents: 1,600.

Total Estimated Number of Responses: 3,200.

Total Estimated Annual Time Burden: 250 hours.

Total Estimated Annual Other Costs Burden: \$0.

(Authority: 44 U.S.C. 3506(c)(2)(A))

Dated: November 2, 2020.

Anthony May,
Management and Program Analyst.

[FR Doc. 2020-24657 Filed 11-5-20; 8:45 am]

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³ Congress has previously enacted specific protections regarding the independence of these Committee members.